

CITY OF SEATTLE  
ORDINANCE 124244  
COUNCIL BILL 117823

AN ORDINANCE relating to historic preservation, imposing controls upon the Barksdale House, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of sites, improvements, and objects having historical, cultural, architectural, engineering, or geographic significance; and

WHEREAS, the Landmarks Preservation Board (Board), after a public meeting on May 4, 2011, voted to approve the nomination of the improvement located at 13226 42<sup>nd</sup> Avenue Northeast and the site on which the improvement is located (which collectively are referred to as the "Barksdale House" for the purposes of this ordinance), for designation as a landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on June 15, 2011, the Board voted to approve the designation of the Barksdale House under SMC Chapter 25.12; and

WHEREAS, on July 18, 2012, the Board and the owner of the designated landmark agreed to controls and incentives; and

WHEREAS, the Board recommends that the City Council enact a designating ordinance approving the controls and incentives; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION: Pursuant to SMC 25.12.660, the designation by the Landmarks Preservation Board (Board) of the improvement located at 13226 42<sup>nd</sup> Avenue Northeast and the site on which the improvement is located (which collectively are referred to as the "Barksdale House" for the purposes of this ordinance), is hereby acknowledged.



1           A.    Legal Description. The Barksdale House is located on the property legally  
2 described as:

3                   Lot 3 in Block 3 of Cedar Park No. 3, as per plat recorded in Volume 29 of Plats,  
4                   page 27, Records of King County Auditor; Situate in the City of Seattle, County  
5                   of King, State of Washington.

6           B.    Specific Features or Characteristics Designated. Pursuant to SMC 25.12.660.A.2,  
7 the following specific features or characteristics of the Barksdale House are designated:  
8

- 9                   1. The exterior of the improvement known as the Barksdale House.
- 10                  2. The following portions of the interior of the improvement known as the Barksdale  
11                   House: the living room, dining room, and the hall from the main entry to the  
12                   living room (including the shoji screens in the living room, dining room, and  
13                   hall).
- 14                  3. The site consisting of the property described in subsection 1.A on which the  
15                   improvement known as the Barksdale House is located, excluding the  
16                   carport/shed structure.

17           C.    Basis of Designation. The designation was made because the Barksdale House is  
18 more than 25 years old, has significant character, interest or value as a part of the development,  
19 heritage or cultural characteristics of the City, state or nation, has integrity or the ability to  
20 convey its significance, and satisfies the following from SMC 25.12.350:  
21

- 22                   1. It embodies the distinctive visible characteristics of an architectural style, or  
23                   period, or of a method of construction (SMC 25.12.350.D).
- 24                   2. It is an outstanding work of a designer or builder (SMC 25.12.350.E).



Section 2. CONTROLS: The following controls are hereby imposed on the features or characteristics of the Barksdale House that were designated by the Board for preservation:

A. Certificate of Approval Process.

1. Except as provided in subsection 2.A.2 or subsection 2.B, the owner must obtain a Certificate of Approval issued by the Board pursuant to SMC Chapter 25.12, or the time for denying a Certificate of Approval must have expired, before the owner may make alterations or significant changes to the following specific features or characteristics:
  - a. The exterior of the improvement known as the Barksdale House.
  - b. The following portions of the interior of the improvement known as the Barksdale House: the living room, dining room, and the hall from the main entry to the living room (including the shoji screens in the living room, dining room, and hall).
  - c. The site consisting of the property described in subsection 1.A on which the improvement known as the Barksdale House is located, excluding the carport/shed structure.
2. No Certificate of Approval is required for the following:
  - a. Any in-kind maintenance or repairs of the features listed in subsection 2.A.1.
  - b. Any required maintenance or alterations to plant materials and other features in the area designated by The City of Seattle as a steep slope (Environmentally Critical Area).





- c. Installation, removal, or alteration of the following landscape elements: trees less than 8 inches in diameter measured 4 ½ feet above ground; shrubs, perennials and annuals. The general configuration of the driveway, concrete block retaining walls, and the solid cedar fence facing 42<sup>nd</sup> Avenue NE and along the south side of the driveway are permanent site features not to be altered. The general layout of the planting beds and lawn between the house and 42<sup>nd</sup> Avenue NE is considered a permanent site feature not to be altered.
- d. Installation, removal, or alteration of the following temporary site furnishings: benches, movable planter boxes, and movable water features.
- e. Installation, removal, or alteration of floor coverings that do not damage the existing floor in the living room, dining room, and the hall from the main entry to the living room.
- f. Installation, removal, or alteration of temporary interior window coverings.
- g. Removal or alteration of non-original light fixtures in the living room, dining room, and the hall from the main entry to the living room.

B. City Historic Preservation Officer Approval Process.

1. The City Historic Preservation Officer (CHPO) may review and approve alterations or significant changes to the features or characteristics listed in subsection 2.B.3 according to the following procedure:
  - a. The owner shall submit to the CHPO a written request for the alterations or significant changes, including applicable drawings or specifications.



1 b. If the CHPO, upon examination of submitted plans and specifications,  
2 determines that the alterations or significant changes are consistent with the  
3 purposes of SMC Chapter 25.12, the CHPO shall approve the alterations or  
4 significant changes without further action by the Board.

5 c. If the CHPO does not approve the alterations or significant changes, the  
6 owner may submit revised materials to the CHPO, or apply to the Board for a  
7 Certificate of Approval under SMC Chapter 25.12.  
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9 2. The CHPO shall transmit a written decision on the owner's request to the owner  
10 within 14 days of receipt of the request. Failure of the CHPO to timely transmit a  
11 written decision constitutes approval of the request.

12 3. CHPO approval of alterations or significant changes to the features or  
13 characteristics listed in subsection 2.A.1 is available for the following:

14 a. For the specified features and characteristics of the building, the addition or  
15 elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes and  
16 other similar wiring or mechanical elements necessary for the normal  
17 operation of the building.  
18

19 b. Removal of hazardous trees more than 8 inches in diameter measured 4 ½  
20 feet above ground.  
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22 c. Installation, removal, or alterations of the following exterior light fixtures:  
23 exterior security lighting and security system equipment.

24 d. Installation, removal, or alterations of exterior door hardware.  
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1 Section 3. INCENTIVES. The following incentives are hereby granted on the features or  
2 characteristics of the Barksdale House that were designated by the Board for preservation:

3 A. Uses not otherwise permitted in a zone may be authorized in a designated  
4 landmark by means of an administrative conditional use permit issued pursuant to SMC Title 23.

5 B. Exceptions to certain of the requirements of the Seattle Building Code, SMC  
6 Chapter 22.100, and the Seattle Energy Code, SMC Chapter 22.700, may be authorized pursuant  
7 to the applicable provisions thereof.

8 C. Special tax valuation for historic preservation may be available under RCW  
9 Chapter 84.26 upon application and compliance with the requirements of that statute.

10 D. Reduction or waiver, under certain conditions, of minimum accessory off-street  
11 parking requirements for uses permitted in a designated Landmark structure, may be permitted  
12 pursuant to SMC Title 23.

13  
14 Section 4. Enforcement of this ordinance and penalties for its violation are as provided in  
15 SMC 25.12.910.

16 Section 5. The Barksdale House is hereby added alphabetically to Section I, Residences,  
17 of the Table of Historical Landmarks contained in SMC Chapter 25.32.

18 Section 6. The City Clerk is directed to record a certified copy of this ordinance with the  
19 King County Director of Records and Elections, deliver two certified copies to the CHPO, and  
20 deliver one copy to the Director of the Department of Planning and Development. The CHPO is  
21 directed to provide a certified copy of the ordinance to the owner of the landmark.  
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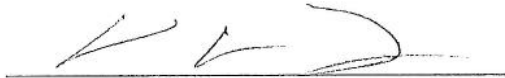
Section 7. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 5<sup>th</sup> day of August, 2013, and signed by me in open session in authentication of its passage this 5<sup>th</sup> day of August, 2013.



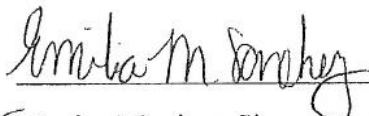
President \_\_\_\_\_ of the City Council

Approved by me this 13<sup>th</sup> day of August, 2013.



Michael McGinn, Mayor

Filed by me this 13<sup>th</sup> day of August, 2013.




for Monica Martinez Simmons, City Clerk

(Seal) State of Washington,  
County of King

I, Taret Polaty, certify that this is a true and correct copy of Ordinance No. 124244, on file in the records of the City of Seattle, Office of the City Clerk



Signed by:   
Signature \_\_\_\_\_  
Title: Information Specialist  
Date: August 29, 2013

